APPENDIX A

Chapter 584—Laws of New York—By Authority.

AN ACT to amend the labor law, in relation to the determination and establishment of minimum fair wage standards for women and minors, with provision for the imposition of penalties for the violation thereof.

Became a law April 29, 1933, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter fifty of the laws of nineteen hundred twenty-one, entitled "An act in relation to labor, constituting chapter thirty-one of the consolidated laws," is hereby amended by inserting therein a new article, to be article nineteen, to read as follows:

ARTICLE 19

MINIMUM FAIR WAGE STANDARDS FOR WOMEN AND MINORS

Section 550. Factual background.
551. Definitions.
552. Contracts of employment void as against public policy.
553. Investigatory powers.
554. Power and duty of commissioner to appoint wage board.
555. Constitution of wage board.
556. Report of wage board.
557. Action of the commissioner on report of wage board.
558. Special licenses.
559. Publicity.

560. Commissioner's power to make orders mandatory.
561. Reconsideration of wage orders.
562. Reconsideration of administrative regulations.
563. Right of review.
564. Records and notices required of employers.
565. Penalties.
566. Recovery of wages.
567. Construction.

Section 550.* The employment of women and minors in trade and industry in the state of New York at wages unreasonably low and not fairly commensurate with the value of the services rendered is a matter of grave and vital public concern. Many women and minors employed for gain in the state of New York are not as a class upon a level of equality in bargaining with their employers in regard to minimum fair wage standards, and "freedom of contract" as applied to their relations with their employers is illusory. Since a very large percentage of such workers are obliged from their week to week wages to support themselves and others who are dependent upon them in whole or in part they are, by reason of their necessitous circumstances, forced to accept whatever wages are offered them. Judged by any reasonable standard, wages are in many cases fixed by chance and caprice and the wages accepted are often found to bear no relation to the fair value of the service rendered. Women and minors employed for gain are peculiarly subject to the overreaching of inefficient, harsh or ignorant employers and under unregulated competition where no adequate machinery exists for the effective regulation and maintenance of minimum fair wage standards, the standards such as exist tend to be set by the least conscionable employers. In the absence of any effective minimum fair wage rates for women and

* So in original. [Section heading omitted.]

minors, the constant lowering of wages by unscrupulous employers constitutes a serious form of unfair competition against other employers, reduces the purchasing power of the workers and threatens the stability of industry. The evils of oppressive, unreasonable and unfair wages as they affect women and minors employed in the state of New York are such as to render imperative the exercise of the police power of the state for the protection of industry and of the women and minors employed therein and of the public interest of the community at large in their health and well-being and in the prevention of the deterioration of the race. In the considered judgment of the legislature this article is constitutional.

§ 551. Definitions. As used in this article:

1. "Commissioner" shall mean the industrial commissioner.

2. "Director" shall mean the director or any deputy director of the minimum wage division, which shall be set up as a separate division in the department of labor by the commissioner with a director in charge and with such deputy directors and other assistants and employees as the commissioner may deem desirable.

3. "Wage board" shall mean a board created as provided in section five hundred and fifty-five of the article.

4. "Woman" shall mean a female of twenty-one years or over.

5. "Minor" shall mean a person of either sex under the age of twenty-one years.

6. "Occupation" shall mean an industry, trade or business or branch thereof or class of work therein in which women or minors are gainfully employed, but shall not include domestic service in the home of the employer or labor on a farm.

7. "An oppressive and unreasonable wage" shall mean a wage which is both less than the fair and reasonable value of the services rendered and less than sufficient to meet the minimum cost of living necessary for health.

8. "A fair wage" shall mean a wage fairly and reasonably commensurate with the value of the service or class of service rendered. In establishing a minimum fair wage for any service or class of service under this article the commissioner and the wage board without being bound by any technical rules of evidence or procedure (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered, and (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer without contract as to the amount of the wage to be paid, and (3) may consider the wages paid in the state for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards.

9. "A directory order" shall mean an order the nonobservance of which may be published as provided in section five hundred and fifty-nine of this article.

10. "A mandatory order" shall mean an order the violation of which shall be subject to the penalties prescribed in paragraph two of section five hundred and sixty-five of this article.

§ 552.* It is hereby declared to be against public policy for any employer to employ any woman or minor in an occupation in this state at an oppressive and unreasonable wage as defined in section five hundred and fifty-one of the article and any contract, agreement or understanding for or in relation to such employment shall be null and void.

* So in original. [Section heading omitted.]

§ 553.* The commissioner or the director or any authorized representative of the director shall have full power and authority:

1. To investigate and ascertain the wages of women and minors employed in any occupation in the state;

2. To enter the place of business or employment of any employer of women and minors in any occupation for the purpose of examining and inspecting any and all books, registers, payrolls, and other records of any employer of women or minors that in any way appertain to or have a bearing upon the question of wages of any such women or minors and for the purpose of ascertaining whether the orders of the commissioner have been and are being complied with; and

3. To require from such employer full and correct statements in writing when the commissioner or the director or any authorized representative of the director deems necessary, of the wages paid to all women and minors in his employment.

§ 554.* The commissioner or the director shall have the power, and it shall be the duty of the commissioner on the petition of fifty or more residents of the state, to cause an investigation to be made by the director or any authorized representative of the director, of the wages being paid to women or minors in any occupation to ascertain whether any substantial number of women or minors in such occupation are receiving oppressive and unreasonable wages as defined in section five hundred and fifty-one. If, on the basis of information in the possession of the commissioner or the director, with or without a special investigation, the commissioner is of the opinion that any substantial number of women or minors in any occupation or occupations are receiving oppressive and unreasonable wages as defined in section five hundred and fifty-one, he shall

* So in original. [Section heading omitted.]

appoint a wage board to report upon the establishment of minimum fair wage rates for such women or minors in such occupation or occupations.

§ 555.* 1. A wage board shall be composed of not more than three representatives of the employers in any occupation or occupations, an equal number of representatives of the employees in such occupation or occupations and of not more than three disinterested persons representing the public, one of whom shall be designated as chairman. The commissioner after conferring with the director shall appoint the members of such wage board, the representatives of the employers and employees to be selected so far as practicable from nominations submitted by employers and employees in such occupation or occupations. Two-thirds of the members of such wage board shall constitute a quorum and the recommendations or report of such wage board shall require a vote of not less than a majority of all its members. Members of a wage board shall serve without pay, but may be reimburesd for all necessary traveling expenses. The commissioner after conferring with the director shall make and establish from time to time rules and regulations governing the selection of a wage board and its mode of procedure not inconsistent with this article.

2. A wage board shall have power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the production of all books, records, and other evidence relative to any matters under investigation. Such subpoenas shall be signed and issued by a member of the wage board and shall be served and have the same effect as if issued out of the supreme court. A wage board shall have power to cause depositions of witnesses residing within or without the state to be taken in the manner prescribed for like depositions in civil actions in the supreme court.

* So in original. [Section heading omitted.]

3. The commissioner or the director shall present to a wage board promptly upon its organization all the evidence and information in the possession of the commissioner or director relating to the wages of women and minor workers in the occupation or occupations for which the wage board was appointed and all other information which the commissioner or the director deems relevant to the establishment of a minimum fair wage for such women and minors, and shall cause to be brought before the committee any witnesses whom the commissioner or the director deems material. A wage board may summon other witnesses or call upon the commissioner or the director to furnish additional information to aid it in its deliberation.

4. Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for the women or minors in the occupation or occupations the wage standards of which the wage board was appointed to investigate. If its report is not submitted within such time the commissioner may constitute a new wage board.

5. A wage board may differentiate and classify employments in any occupation according to the nature of the service rendered and recommend appropriate minimum fair rates for different employments. A wage board may also recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper and do not effect an unreasonable discrimination against any locality.

6. A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations, which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced women or minor workers in such occupation or occupations.

§ 556.* A report from a wage board shall be submitted to the commissioner who shall within ten days confer with the director and accept or reject such report. If the report is rejected the commissioner shall resubmit the matter to the same wage board or to a new wage board with a statement of the reasons for the resubmission. If the report is accepted it shall be published together with such proposed administrative regulations as the commissioner after conferring with the director may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards to be established, and notice shall be given of a public hearing to be held by the commissioner or the director not sooner than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to the recommendations contained in such report or in such proposed regulations may be heard.

§ 557.* Within ten days after such hearing the commissioner shall confer with the director and approve or disapprove the report of the wage board. If the report is disapproved the commissioner may resubmit the matter to the same wage board or to a new wage board. If the report is approved the commissioner shall make a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and which shall include such proposed administrative regulations as the commissioner may deem appropriate to implement the report of the wage board and to safeguard the minimum fair wage standards established. Such administrative regulations may include among other things, regulations defining and governing learners and apprentices, their rates, number, proportion or length of service, piece rates or their relation to time rates, overtime or part-time rates, bonuses or special pay for special or extra work, deductions for board, lodging, apparel or

* So in original. [Section heading omitted.]

other items or services supplied by the employer, and other special conditions or circumstances; and in view of the diversities and complexities of different occupations and the dangers of evasion and nullification, the commissioner may provide in such regulations without departing from the basic minimum rates recommended by the wage board such modifications or reductions of or addition to such rates in or for such special cases or classes of cases as those herein enumerated as the commissioner may find appropriate to safeguard the basic minimum rates established.

§ 558.* For any occupation for which minimum fair wage rates have been established the commissioner or the director may cause to be issued to a woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury, a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the commissioner or the director and stated in the license.

§ 559.* If the commissioner or the director or any authorized representative of the director has reason to believe that any employer is not observing the provisions of any order made by him under section five hundred and fifty-seven of this article, the commissioner or the director may, on fifteen days' notice, summon such employer to appear before the commissioner or the director to show cause why the name of such employer should not be published as having failed to observe the provisions of such order. After such hearing and the finding by the commissioner or the director of non-observance, the commissioner may cause to be published in a newspaper or newspapers circulating within the State of New York or in such other manner as the commissioner may deem appro-

* So in original. [Section heading omitted.]

priate, the name of any such employer or employers as having failed in the respects stated to observe the provisions of the directory order of the commissioner. Neither the commissioner nor any authorized representative of the commissioner, nor any newspaper publisher, proprietor, editor, nor employee thereof shall be liable to an action for damages for publishing the name of any employer as provided for in this article, unless guilty of some wilful misrepresentation.

§ 560.* If at any time after a directory minimum fair wage order has been in effect for nine months the commissioner is of the opinion after conferring with the director that the persistent non-observance of such order by one or more emplo[illegible] a threat to the maintenance of fair minimum wage standards in any occupation or occupations the commissioner or the director may give notice of the intention of the commissioner to make such order mandatory and of a public hearing to be held not sooner than fifteen nor more than thirty days after such publication at which all persons in favor of or opposed to a mandatory order may be heard by the commissioner or the director. After such hearing the commissioner, if he adheres to his opinion, may make the previous directory order or any part thereof mandatory and so publish it.

§ 561.* At any time after a minimum fair wage order has been in effect for one year or more, whether during such period it has been directory or mandatory, the commissioner may on his own motion after conferring with the director and shall on petition of fifty or more residents of the state reconsider the minimum fair wage rates set therein and reconvene the same wage board or appoint a new wage board to recommend whether or not the rate or rates contained in such order should be modified. The report of such wage board shall be dealt with in the man-

* So in original. [Section heading omitted.]

ner prescribed in sections five hundred and fifty-six and five hundred and fifty-seven of this article provided that if the order under reconsideration has theretofore been made mandatory in whole or in part by the commissioner under section five hundred and sixty then the commissioner in making any new order or confirming any old order shall have power to declare to what extent such order shall be directory and to what extent mandatory.

§ 562.* The commissioner may at any time and from time to time after conference with the director propose such modifications of or additions to any administrative regulations included in any directory or mandatory order of the commissioner without reference to a wage board, as the commissioner may deem appropriate to effectuate the purposes of this article, provided such proposed modifications or additions could legally have been included in the original order, and notice shall be given of a public hearing to be held by the commissioner or director not less than fifteen days after such publication at which all persons in favor of or opposed to such proposed modification or additions may be heard. After such hearing the commissioner may make an order putting into effect such proposed modification of or additions to the administrative regulations as he deems appropriate, and if the order of which the administrative regulations form a part has theretofore been made mandatory in whole or in part by the commissioner under section five hundred and sixty, then the commissioner in making any new order shall have the power to declare to what extent such order shall be directory and to what extent mandatory.

§ 563.* All questions of fact arising under this act except as otherwise herein provided shall be decided by the commissioner or the director and there shall be no appeal from the decision of the commissioner or the di-

* So in original. [Section heading omitted.]

rector on any such question of fact, but there shall be a right of review by the industrial board and the courts as provided in article three of the labor law from any ruling or holding on a question of law included or embodied in any decision or order of the commissioner or the director.

§ 564.* Every employer of women and minor workers shall keep a true and accurate record of the hours worked by each and the wages paid by him to each and shall furnish to the commissioner or the director or the authorized representative of the director upon demand a sworn statement of the same. Such records shall be open to inspection by the commissioner or the director or any authorized representative of the director at any reasonable time. Every employer subject to a minimum fair wage order whether directory or mandatory shall keep a copy of such order posted in a conspicuous place in every room in which women or minors are employed. Employers shall be furnished copies of orders on request without charge.

§ 565.* 1. Any employer and his agent, or the officer or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this article or because such employer believes that said employee may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this article shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty nor more than two hundred dollars.

2. Any employer or the officer or agent of any corporation who pays or agrees to pay to any woman or minor

* So in original. [Section heading omitted.]

employee less than the rates applicable to such woman or minor under a mandatory minimum fair wage order shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than fifty nor more than two hundred dollars or by imprisonment of not less than ten nor more than ninety days or by both such fine and imprisonment, and each week in any day of which such employee is paid less than the rate applicable to him under a mandatory minimum fair wage order and each employee so paid less shall constitute a separate offense.

3. Any employer or the officer or agent of any corporation who fails to keep the records required under this article or to furnish such records to the commissioner or the director or any authorized representative of the director upon request shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than twenty-five nor more than one hundred dollars, and each day of such failure to keep the records requested under this article or to furnish same to the commissioner or the director or any authorized representative of the director shall constitute a separate offense.

§ 566.* If any woman or minor worker is paid by his employer less than the minimum fair wage to which he is entitled under or by virtue of a mandatory minimum fair wage order he may recover in a civil action the full amount of such minimum wage less any amount actually paid to him by the employer together with costs and such reasonable attorney's fees as may be allowed by the court, and any agreement between him and his employer to work for less than such mandatory minimum fair wage shall be no defense to such action. At the request of any woman or minor worker paid less than the minimum wage to which he was entitled under a mandatory order the commissioner may take an assignment of such wage claim

* So in original. [Section heading omitted.]

in trust for the assigning employee and may bring any legal action necessary to collect such claim, and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

§ 567.* If any provisions of this article or the application thereof to any person or circumstance, is held invalid the remainder of the article and the application of such provision to other persons or circumstances shall not be affected thereby.

§ 2. This act shall take effect immediately.

* So in original. [Section heading omitted.]

APPENDIX B

U. S. Statutes at Large, 65th Congress, 1917-1919, Vol. 40, Pt. I, Public Laws, Ch. 174, pp. 960-964.

SECTION 1. Where used in this act, the term "board" means the minimum-wage board created by section 2; the term "commissioners" means the Commissioners of the District of Columbia; the term "woman" includes only a woman of 18 years of age or over; the term "minor" means a person of either sex under the age of 18 years; the term "occupation" includes a business, industry, trade, or branch thereof, but shall not include domestic service.

SEC. 2. There is hereby created a board to be known as the "minimum-wage board," to be composed of three members to be appointed by the Commissioners of the District of Columbia. As far as practicable, the members shall be so chosen that one will be representative of employees, one representative of employers, and one representing the public.

The commissioners shall make their first appointments hereunder within 30 days after this act takes effect, and shall designate one of the three members first appointed to hold office until January 1, 1919; and one to hold office until January 1, 1920; and one to hold office until January 1, 1921. On or before the 1st day of January of each year, beginning with the year 1919, the commissioners shall appoint a member to succeed the member whose term expires on such 1st day of January, and such new appointee shall hold office for the term of three years from such 1st day of January. Each member shall hold office until his successor is appointed and has qualified; and any vacancy that may occur in the membership of the board shall be filled by appointment by the commissioners for the unexpired portion of the term.

A majority of the members shall constitute a quorum to transact business, and the act or decision of such a majority shall be deemed the act or decision of the board; and no vacancy shall impair the right of the remaining members to exercise all the powers of the board.

SEC. 3. The first members appointed shall, within 20 days after their appointment, meet and organize the board by electing one of their number as chairman and by choosing a secretary, who shall not be a member of the board; and on or before the 10th day of January of each year thereafter the board shall elect a chairman and choose a secretary for the ensuing year. The chairman and the secretary shall each hold office until his successor is elected or chosen; but the board may at any time remove the secretary. The secretary shall perform such duties as may be prescribed and receive such salary, not in excess of $2,500 per annum, as may be fixed by the board. None of the members shall receive any salary as such. The board shall have power to employ agents and such other assistants as may be necessary for the proper performance of its duties; *Provided,* That until further authorization by Congress, the sum which it may expend, including the salary of the secretary, shall not exceed the sum of $5,000.

SEC. 4. At any public hearing held by the board any person interested in the matter being investigated may appear and testify. Any member of the board shall have power to administer oaths, and the board may require by subpoena the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation, at any such public hearing or at any session of any conference held as hereinafter provided. In case of disobedience to a subpoena the board may invoke the aid of the Supreme Court of the District of Columbia in requiring the attendance and testimony of witnesses and the production of

documentary evidence. In case of contumacy or refusal to obey a subpoena the court may issue an order requiring appearance before the board, the production of documentary evidence, and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

SEC. 5. The board is hereby authorized and empowered to make rules and regulations for the carrying into effect of this act, including rules and regulations for the selection of members of the conference hereinafter provided for and the mode of procedure thereof.

SEC. 6. The board shall, on or before the 1st day of January of the year 1919, and of each year thereafter, make a report to the commissioners of its work and the proceedings under this act.

SEC. 7. There is hereby authorized to be appropriated, out of the revenues of the District of Columbia, for the fiscal year ending June 30, 1919, the sum of $5,000, or so much thereof as may be necessary, to carry into effect the provisions of this act.

SEC. 8. The board shall have full power and authority: (1) To investigate and ascertain the wages of women and minors in the different occupations in which they are employed in the District of Columbia; (2) to examine, through any member or authorized representative, any book, payroll, or other record of any employer of women or minors that in any way appertains to or has a bearing upon the question of wages of any such women or minors; and (3) to require from such employer full and true statements of the wages paid to all women and minors in his employment.

Every employer shall keep a register of the names of the women and minors employed by him in any occupa-

tion in the District of Columbia, of the hours worked by each, and of all payments made to each, whether paid by the time or by the piece, and shall, on request, permit any member or authorized representative of the board to examine such register.

To assist the board in carrying out this act the commissioners shall at all times give it any information or statistics in their possession under the act of Congress approved February 24, 1914, entitled "An act to regulate hours of employment and safeguard the health of females employed in the District of Columbia."

SEC. 9. The board is hereby authorized and empowered to ascertain and declare, in the manner hereinafter provided, the following things: (a) Standards of minimum wages for women in any occupation within the District of Columbia, and what wages are inadequate to supply the necessary cost of living to any such women workers to maintain them in good health and to protect their morals; and (b) standards of minimum wages for minors in any occupation within the District of Columbia and what wages are unreasonably low for any such minor workers.

SEC. 10. If, after investigation, the board is of opinion that any substantial number of women workers in any occupation are receiving wages inadequate to supply them with the necessary cost of living and maintain them in health and protect their morals, it may call and convene a conference for the purpose and with the powers of considering and inquiring into and reporting on the subject investigated by the board and submitted by it to such conference. The conference shall be composed of not more than three representatives of the employers in such occupation, of an equal number of representatives of the employees in such occupation, of not more than three disinterested persons representing the public, and one or more members of the board. The board shall name and appoint all the members of the conference and desig-

nate the chairman thereof. Two-thirds of the members of the conference shall constitute a quorum, and the decision or recommendation or report of the conference on any subject submitted shall require a vote of not less than a majority of all its members.

The board shall present to the conference all the information and evidence in its possession or control relating to the subject of inquiry by the conference, and shall cause to be brought before the conference any witnesses whose testimony the board deems material.

SEC. 11. After completing its consideration of any inquiry into the subject submitted to it by the board, the conference shall make and transmit to the board a report containing its findings and recommendations on such subject, including recommendations as to standards of minimum wages for women workers in the occupation under inquiry and as to what wages are inadequate to supply the necessary cost of living to women workers in such occupation and to maintain them in health and to protect their morals.

In its recommendations on a question of wages the conference (1) shall, where it appears that any substantial number of women workers in the occupation under inquiry are being paid by piece rates as distinguished from time rate, recommend minimum piece rates as well as minimum time rate and recommend such minimum piece rates as will, in its judgment, be adequate to supply the necessary cost of living to women workers in such occupation of average ordinary ability and to maintain them in health and protect their morals; and (2) shall, when it appears proper or necessary, recommend suitable minimum wages for learners and apprentices in such occupation and the maximum length of time any woman worker may be kept at such wages as a learner or apprentice, which wages shall be less than the regular minimum wages recommended for the regular women workers in such occupation.

SEC. 12. Upon receipt of any report from any conference, the board shall consider and review the recommendations, and may approve or disapprove any or all of such recommendations, and may resubmit to the same conference, or a new conference, any subject covered by any recommendation so disapproved.

If the board approves any recommendations contained in any report from any conference, it shall publish a notice, once a week, for four successive weeks in a newspaper of general circulation printed in the District of Columbia, that it will, on a date and at a place named in the notice, hold a public hearing at which all persons in favor of or opposed to such recommendations will be heard.

After such hearing the board may, in its discretion, make and render such an order as may be proper or necessary to adopt such recommendations and carry them into effect, requiring all employers in the occupation affected thereby to observe and comply with such order. Such order shall become effective 60 days after it is made. After such order becomes effective, and while it is effective, it shall be unlawful for any employer to violate or disregard any of its terms or provisions, or to employ any woman worker in any occupation covered by such order at lower wages than are authorized or permitted therein.

The board shall, as far as is practicable, mail a copy of such order to every employer affected thereby; and every employer affected by any such order shall keep a copy thereof posted in a conspicuous place in each room in his establishment in which women workers are employed.

SEC. 13. For any occupation in which only a minimum time-rate wage has been established, the board may issue to a woman whose earning capacity has been impaired by age or otherwise, a special license authorizing her employment at such wage less than such minimum time-rate wage as shall be fixed by the board and stated in the license.

SEC. 14. The board may at any time inquire into wages of minors employed in any occupation in the District of Columbia, and determine suitable wages for them. When the board has made such determination it may make such an order as may be proper or necessary to carry such determination into effect. Such order shall become effective 60 days after it is made; and after such order becomes effective and while it is effective it shall be unlawful for any employer in such occupation to employ a minor at less wages than are specified or required in or by such order.

SEC. 15. Any conference may make a separate inquiry into and report on any branch of any occupation, and the board may make a separate order affecting any branch of any occupation.

SEC. 16. The board shall from time to time investigate and ascertain whether or not employers in the District of Columbia are observing and complying with its orders, and shall report to the corporation counsel of the District of Columbia all violations of this act.

SEC. 17. All questions of fact arising under the foregoing provisions of this act shall, except as otherwise herein provided, be determined by the board, and there shall be no appeal from the decision of the board on any such question of fact; but there shall be a right of appeal from the board to the supreme court of the District of Columbia from any ruling or holding on a question of law included or embodied in any decision or order of the board; and, on the same question of law, from such court to the court of appeals of the District of Columbia. In all such appeals the corporation counsel shall appear for and represent the board.

SEC. 18. Whoever violates this act, whether an employer or his agent, or the director, officer, or agent of any cor-

poration, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not less than $25 nor more than $100, or by imprisonment not less than 10 days nor more than three months, or by both such fine and imprisonment.

SEC. 19. Any employer and his agent, or the director, officer, or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has served or is about to serve on any conference, or has testified or is about to testify, or because such employer believes that said employee may serve on any conference or may testify in any investigation or proceedings under or relative to this act, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not less than $25 nor more than $100.

SEC. 20. Any act which, if done or omitted to be done by any agent or officer or director acting for such employer, would constitute a violation of this act, shall also be held to be a violation by the employer and subject such employer to the liability provided for by this act.

SEC. 21. Prosecutions for violations of this act shall be on information filed in a police court of the District of Columbia by the corporation counsel.

SEC. 22. If any woman worker is paid by her employer less than the minimum wage to which she is entitled under or by virtue of an order of the board, she may recover in a civil action the full amount of such minimum wage, less any amount actually paid to her by the employer, together with such reasonable attorney's fees as may be allowed by the court; and any agreement for her to work for less than such minimum wage shall be no defense to such action.

SEC. 23. This act shall be known as the "District of Columbia minimum wage law." The purposes of the act are to protect the women and minors of the District from conditions detrimental to their health and morals, resulting from wages which are inadequate to maintain decent standards of living; and the act in each of its provisions and in its entirety shall be interpreted to effectuate these purposes.